



10 DEC 2007

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In re Application of	:	
Matsumoto et al.	:	
Application No. 10/533,136	:	
PCT No.: PCT/JP2003/013933	:	
Int. Filing Date: 30 October 2003	:	
Priority Date: 31 October 2002	:	DECISION
Atty. Docket No.: 2005 0711A	:	
For: Spray Gun For Electrostatic Painting	:	

This is in response to the "Request For Corrected Filing Receipt" filed on 13 March 2006.

BACKGROUND

This international application was filed on 30 October 2003, claimed an earliest priority date of 31 October 2002, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 13 May 2004. 30 month time period for paying the basic national fee in the United States expired at midnight on 30 April 2005. Applicants filed, *inter alia*, the basic national fee on 29 April 2005.

On 18 November 2005, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring an English translation of the international application and the processing fee under 37 CFR 1.492(i).

On 19 January 2006, applicants filed a response.

On 22 February 2006, a Notice of Acceptance (Form PCT/DO/EO/903) was mailed to applicants, reflecting a 35 U.S.C. 371(c)(1), (2) and (4) date and a completion date, both of 19 January 2006.

DISCUSSION

Petitioner requests "correction" of the filing receipt to show a date of 18 January 2006 rather than 19 January 2006. Inspection of the IFW for this application reveals that the correspondence at issue was stamped as received by the USPTO on 19 January 2006, rather than the date proposed by counsel. Review of the electronic fee records shows payment of \$400.00 of claims fees with a "Mailroom Date" of 18 January 2006, but the payment of the processing fee under 37 CFR 1.492(i) shows a "Mailroom Date" of 19 January 2006. Therefore, the official record suggests that the correspondence and fee at issue were in fact filed on the 19th, rather than the 18th as urged by applicants. Applicants should adduce additional evidence (e.g., postcard or Express Mail evidence) to support any renewed request for modification of the 35 U.S.C. 371 dates.

It is noted that the response to the 18 November 2005 Notification of Missing Requirements was due on 18 January 2006; since the reply was not received until 19 January 2006, a one-month extension of time under 37 CFR 1.136(a) was required. The \$120.00 fee is being charged to Deposit Account 23-0975, as authorized by the Transmittal Letter filed on 29 April 2005.

CONCLUSION

The request is **REFUSED**, without prejudice.

Any request for reconsideration must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.



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